

National Aeronautics and
Space Administration
Office of Program
and Institutional Integration



NASA Management Office

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4800 Oak Grove Drive
Pasadena, CA 91109-8099

Reply to Attn of:

Office of Chief Counsel

June 6, 2007

MEMORANDUM FOR RECORD

FROM: Deputy Ethics Official

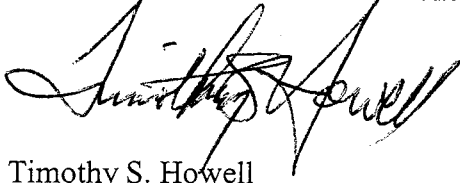
SUBJECT: Determination Regarding Attendance by NMO Director at Caltech
Commencement and Luncheon

On June 8, 2007, The California Institute of Technology (Caltech) will hold graduation ceremonies, including the investiture of its new President, Jean-Lou Chameau. It is in the best interest of the Government for the Director of the NASA Management Office (NMO) at the Jet Propulsion Laboratory (JPL) to attend these events in his official capacity and as a representative of NASA.

Hundreds of people are expected to attend the various commencement ceremonies. As part of the celebration, approximately 250 people have been invited as special guests for preferred seating at the commencement ceremony and for an inaugural luncheon. Dr. Trinh, as Director of the NMO is one of those special invitees. Other special invitees include officers of private corporations, state and local government officials, and representatives of the non-profit sector, as well as academia. The list of invitees includes aerospace contractors, leaders of and consultants to non-profit foundations and organizations, financial institutions, professionals, entrepreneurs, venture capitalists, and leaders of both large and small corporations. The media also are expected to cover the activities. The estimated cost of the luncheon is \$40. The commencement itself is an open event, and no direct charges are associated with attendance.

I find that attendance at the commencement ceremonies and at the luncheon meet the requirements of a "widely attended gathering" as defined in 5 CFR § 2635.204(g). A large number of people will attend, and persons with a diversity of views and interests will be present. Attendance at these events will provide the NMO Director with the opportunity to further agency programs and operations. The investiture of the president of the contractor operating the JPL is an uncommon event, and it is important to both Caltech and to NASA that the NMO be represented at these functions. I therefore conclude that NASA's interest in its Director participating in these events outweighs any concern that free attendance may, or may appear to, improperly influence the NMO Director in the performance of his official duties. Any commemorative items given to attendees at these events, however, are subject to the gift exception limitations defined in 5 CFR § 2635.204(a), which allow acceptance of gifts under \$20 from an outside source, with an aggregate annual limit for each such source of \$50.

Accordingly, Dr. Trinh, as NASA's NMO Director, may attend the Caltech commencement exercises and the associated luncheon on June 8, 2007 on behalf of NASA.

A handwritten signature in black ink, appearing to read "Timothy S. Howell", written over the printed name.

Timothy S. Howell

Enclosures

cc:

NASA Management Office
Dr. Eugene H. Trinh, Director

Office of the General Counsel
Mr. Timothy S. Howell

Office of the General Counsel
Ms. Dawn A. Feick